

JHL

JPL/BAO/JLL

526-1-8

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

PLATINUMTEL COMMUNICATIONS,)
LLC,)
Plaintiff,)
v.) Court No.: 08 CV 1062
ZEFCOM, LLC d/b/a TELISPHERE,)
TELISPHERE, INC., U.S. MOBILE, INC., EZ)
STREAM, INC., QUICK COM, INC., QUICK)
COM II, INC., QUICK COM CELLULAR)
CORPORATION, EZ COM, CHICAGO,)
INC., d/b/a QUICK COM CHICAGO, and)
RAMSEY NATOUR, individually and d/b/a)
U.S. MOBILE, INC., QUICK COMM, INC.)
a/k/a QUICK COM, INC., QUICK COM II,)
INC., QUICK COM CELLULAR)
CORPORATION and/or QUICK COM)
CHICAGO,)
Defendants.)

PROPOSED SCHEDULING ORDER

The parties, having held a scheduling conference attended by John P. Lynch, Jr. for the Plaintiff, PLATINUMTEL COMMUNICATIONS, LLC, Terri L. Mascherin and Jeffrey S. Eberhard for Defendant ZEFCOM, LLC d/b/a TELISPHERE, John Mraibie for Defendant EZ STREAM, INC, and Thomas F. Courtney, Jr., for Defendant U.S. MOBILE, INC., as required by Fed. R. Civ. P. 26(f), submit the following proposed scheduling order:

- (A) The parties believe that an early settlement conference will will not likely result in the disposition of the case.
- (B) The parties shall have until June 13, 2008 to make Rule 26(a)(1) disclosures.

- (C) In lieu of answering the Plaintiff's Complaint, each of the Defendants has filed a Motion to Dismiss. If after resolution of those motions, the Defendants are required to answer, then they will file responsive pleadings at the time set by the Court. Subsequently, amendments to the pleadings and/or joinder of additional parties may be sought upon appropriate motion by **October 10, 2008**. Amendments thereafter may be made only on motion for good cause shown.
- (D) Non-expert discovery will close on **November 26, 2008**.
- (E) The cut-off date for designation of plaintiff's trial expert(s) as provided in Fed. R. Civ. P. 26(a)(2) is **December 19, 2008**; for defendants' trial experts, **January 14, 2009**; and for rebuttal trial experts, **February 10, 2009**. Depositions of the experts shall be completed by **March 20, 2009**. Unless otherwise stipulated, disclosure of experts will include a report fully in compliance with Rule 26(a)(2)(B).
- (F) Any motion challenging the qualifications of a designated expert must be made within 21 calendar days after the deposition of the expert or the close of discovery, whichever is earlier. If no motion is filed, the court may deem such challenges waived.

Dispositive Motions

The deadline for filing dispositive motions will be **April 20, 2009**. Responses shall be filed to those motions by **May 11, 2009**, and replies shall be filed by **May 25, 2009**.

Before a dispositive motion is filed, the parties will exchange demand and offer letters in an effort to reach resolution of the case. A status hearing will be set on a date determined by the court, approximately two weeks before the close of discovery. At this time, the parties will report on any outstanding discovery issues, as well on the possibility of settlement and whether a settlement conference with a judge may be helpful. The parties should expect to be referred to a magistrate judge for settlement discussions before filing a motion for summary judgment.

Also at this status hearing, the court will set a schedule for disposition of the case, including trial dates.

Consent to Proceed Before a Magistrate Judge

The parties consent X do not consent to have their case proceed before a magistrate judge.

08C 1062

AGREED:

Jeffrey S. Eberhard, Attorney for Defendant,
ZEFCOM, LLC d/b/a TELISPIRE

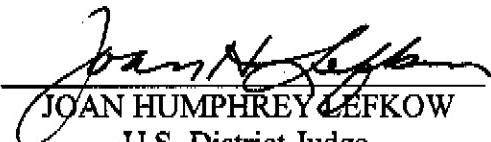
John P. Lynch, Jr., Attorney for
Plaintiff, PLATINUMTEL
COMMUNICATIONS, LLC

John Mraibie, Attorney for Defendant,
EZ STREAM INC.

Thomas F. Courtney, Jr., Attorney for
Defendant, U.S. MOBILE, INC.

Date: 6-4-08

ENTER:



JOAN HUMPHREY LEFKOW
U.S. District Judge

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